

**TOWN OF SUPERIOR
TOWN COUNCIL MINUTES
THURSDAY, JUNE 11, 2015**

**REGULAR MEETING OF THE SUPERIOR TOWN COUNCIL HELD ON THURSDAY
JUNE 11, 2015 AT 7:00 PM IN THE SUPERIOR AUDITORIUM 199 N. LOBB AVENUE,
SUPERIOR, ARIZONA, PINAL COUNTY, ARIZONA.**

CALL TO ORDER

Mayor Valenzuela called meeting to order at 7:05 P.M.

ROLL CALL

Mayor	Jayne Valenzuela
Vice-Mayor	Olga Lopez
Councilmember	Gilbert Aguilar
Councilmember	Michael Alonzo
Councilmember	Mila Besich-Lira
Councilmember	Steve Estatico
Councilmember	John Tameron

PLEDGE OF ALLEGIANCE

Mayor Valenzuela led everyone in attendance in the Pledge of Allegiance

INVOCATION

Pastor Dennis Van Gorp, Family Life Christian Center, Pastor Van Gorp read a bible passage, Proverbs 3:16 and led everyone in the Invocation.

STAFF PRESENT

Town Manager	Margaret Gaston
Town Attorney	Steven Cooper
P & Z Administrator	Lawrence Tomasello
Police Chief	Mark Nipp
Fire Director	Todd Pryor
Public Works	Anthony Huerta
Library	Josie Campos
Account Clerk	Ruby Cervantes
Finance	David Romero
Town Staff	Nora Miramon

PUBLIC ATTENDANCE

Bruce Armitage	Alan Urban
Barbara Armitage	Sylvia Perez
Danette Schepers	Holly Mutchie
Stan Schepers	Ronald Long
Richard Hing	Richard Matthews

Landis Deffenbaugh	Tom Spridgen
Edett Berry	Gary Berry
Susan Rose	Lynn Martin
George Martin	Nancy Vogler
Bill Vogler	Robert Rose
Robert Cervantes	Melissa Rabago
Joann Besich	Sue Anderson
Pam Rabago	Manuel Ramirez
Dolly Chavez	Frank Herron

SPECIAL PRESENTATIONS

Congratulations to Dolly Chavez, graduate of Valle de Sol—Dolly thanked everyone who supported her and she really enjoyed the experience.

Councilmember Besich-Lira stated they were 6 other residents of Superior that attended the Valle de Sol training. Ms. Besich- Lira said that Dolly was a joy and an inspiration to all of them and they really enjoyed learning alongside her and the others that attended and graduated. She wishes Dolly all the best in her future endeavors.

Councilmember Besich-Lira gave a brief informational session on everything they learned and how it brought them together.

Police Chief Nipp introduced three new officers, one full time and two new academy graduates (Reserve Program) – Chief Nipp introduced each officer; Full Time Officer Richard Mueller, Reserve Officer's Scott Curry and Reserve Officer Stephen Keen. Chief Nipp gave a small bio on each officer and swore them in as officers for the Town of Superior.

Henry Munoz, Fire Truck Restoration Committee – Mr. Munoz gave an update on the fundraising and the progress of the work done by the committee and the volunteers. The balance in the Fire Truck Restoration Account is \$4195.56. Thanked everyone that has been involved and everyone that has donated of their time and financially.

Alan Urban, CAG, will present Current Results on Survey for CDBG funding and Discussion of What's Needed for Completion – In order to proceed with the CDBG Funding the Town needed to have over 400 responses to the surveys that were mailed out to every household. The data did show under 51% of lower to moderate income basis. The amount of surveys that were returned was less than 200. What needs to be done is we have to do a random testing of residents. After brief discussion this portion of meeting was closed.

STAFF REPORTS

Manager- Ms. Gaston presented a short video that was sent to her. It is a video about a Rodeo in Superior in the early 1900's. Everyone seemed to enjoy the video and applauded. Margaret stated it has been a very busy month, especially with the audit, budgets and the Council Packets. Jimmy Edgett completed and submitted the PARA Grant to ADOT; the Town of Superior was awarded the grant. This grant is for \$100,000 for a pavement assessment study. Ms. Gaston thanked Jimmy for all of his hard work.

The Chamber offered to donate \$100 for hot dog buns. Save Money Market is donating 20 watermelons and 576 hot dogs. Omya is donating a pallet of bottled water. We'll continue to work on donation for the 4th of July and will fill out Pinal County Health Department permits. Please let Town Hall know if anyone wants to donate for the 4th of July. There will also be free swimming on that day. We want to thank everyone for their donations including Resolution Copper for the donation for the Fireworks.

Todd Pryor sent in a grant for Fire School for the Fire Department. On May 30th he had a positive answer. The Fire Department is thrilled with the chance of new training. They were just notified that they have granted one more pair for Fire School for two people.

We received our first billing from the Town of Florence for dispatching for the Fire Department; it was a total of \$2,240 for three months.

We received a letter from Civiltec Engineering, Inc. describing the work over by the Magma Club. Civiltec did apply for the digging permit from the Town and paid the \$500 fee. Darryl Delbridge from Wildan was here and we all went out to the Magma Club to find out exactly what is being done and inspect the site. Darryl will come back to inspect the work being done before the ditch is filled back in.

Keith Roed reported the owner has not chosen any light fixtures, kitchen equipment or furniture for the Magma Hotel, should take a few months. He also talked about the drug store, but drawings have not started yet.

Margaret attached a list of new emails for the Council. Please check the email addresses and let her know if you want anything changed. All of the emails for the Town have had some changes, so all emails for the Town should work. We will also be ordering new business cards so please let Margaret know if you have any changes that need to be made.

The Stansberry Lift Station just went out, both pumps. Repairs could be \$10,000, so plan on a special meeting to approve a quote to complete the repairs, something this month.

Mayor- The only thing he has is we will continue the fund rising for the big super water slides like they had last year for the 4th of July celebration. We had a \$10,000 donation from Resolution Copper and some other donations. Mayor wanted to remind everyone that everything on that day is free during the festivities. Swimming, all of the food the jumping castles etc.. all free. So come out and enjoy the festivities.

CONSENT AGENDA

Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item be removed from the Consent Agenda for separate discussion.

- A. Minutes of Regular Meeting on May 14, 2015
- B. Information – Superior Optimist Club Fund Raiser-August 8, 2015 Magma Club Alcohol Permit Issued
- C. **Department Reports**
 - Fire
 - Library
 - Police
 - Senior Center
 - Public Works
 - Sanitation
 - Superior Magistrate Court
 - Superior Tax Audit
- D. Blanket Permit for St. Francis of Assisi Church

Motion to approve the consent agenda made by Councilmember Besich-Lira, second by Councilmember Tameron, motion carries.

NEW BUSINESS

- A. Presentation and Acceptance of Fiscal year 2010-2011 Audit by Steven Palmer, Hinton Burdick Firm.** Ms. Gaston, this is a great day in the Town government to be moving forward with our audits for previous years. The audit will be presented by Steve Palmer. Mr. Palmer introduced himself and proceeded with his power point presentation. There was a period of brief discussion and Margaret stated that we have already scheduled Hinton Burdick for the following week, June 17-19, to start the 2011-2012 audit.

Motion to accept the audit for Fiscal year 2010-2011 by Steven Palmer, Hinton Burdick Firm made by Councilmember Estatico, second by Councilmember Besich-Lira, motion carries.

- B. Discussion and Approval of Ordinance No. 15-128 An Ordinance of the Town Council of the Town of Superior Amending Ordinance No. 14-124 by Approving Zone Change No. 2015-03.** Mr. Tomasello, what this Ordinance does is it changes the Planning and Zoning Commission to the Town Council as the Board of Adjustment. There are four sections to this:
1st - Board of Adjustment, the terms of office which coincides with the Town Council. Organization of the Board, the Chairperson and Vice Chairperson will be elected by the board. The Town Clerk becomes the clerk of the board. To be adopted in the future.
2nd – Deals with appeals, appeals used to be handled by the Planning Commission. Now that will go to the board of adjustments.
3rd – Deals with variance's, also was handled by the Planning Commission now Board of Adjustments.
4th – The Glossary of terminology or definitions.

Motion of approval of Ordinance No. 15-128 an Ordinance of the Town Council of the Town of Superior Amending Ordinance No. 14-124 by approving Zone Change No. 2015-03 made by Councilmember Tameron, second by Councilmember Aguilar, motion carries.

- C. Discussion and Approval of Intergovernmental Agreement with Arizona Department of Revenue and the Town of Superior.** Ms. Gaston, This concerns an intergovernmental agreement with Arizona Department of Revenue related to uniform administration to the Town Transaction Privilege Tax. Some of the state statutes have changed so every city and Town that is incorporated within the State of Arizona will have to adopt the same IGA that we are doing tonight. For us it doesn't change anything because the Arizona Department of Revenue is already collecting our sales tax. This is just a formality for us. Margaret went on to hit some of the highlights of the agreement. After a brief discussion Mayor called for a motion.

Motion to approve the Intergovernmental Agreement with Arizona Department of Revenue and the Town of Superior was made by Vice-Mayor Lopez, second by Councilmember Estatico, motion carries.

- D. Discussion and Possible Approval of Appointment of Two New Members (McKeon and Pierce) to Airport Advisory Committee.** April 9, 2015, the Town Council voted to create the Superior Airport Advisor Committee and appointed three people to the committee: Bruce Armitage Chairman has a three year term, Debra Massey has a two year term and Bill Vogler

has a one year term. We do have two more people that would like to join the committee and that would make it a total of 5 people. Casey McKeon with a 3 year term and Curtis Pierce with a 2 year term. Mr. Armitage took this time to talk a bit about the two applicants and their experience and background. Council member asked if an individual needs to live in Town in order to serve on the committee. Mr. Armitage said he did some research and could not find anywhere that stated one has to be a member of the Community to serve on the committee.

Motion to approve the appointment of two new members, Casey McKeon and Curtis Pierce to the Airport Advisory Committee made by Councilmember Alonzo, second by Councilmember Aguilar, motion carries.

E. Discussion and Approval of Superior Beautification Project at the Bob Jones Museum

Ms. Gaston, The Bob Jones Museum is located on Main Street, and it would be very nice to have a rock wall in front of the museum and a new 7 foot stone arch right in front out of rock. Mr. Armitage and Mr. Cervantes are organizing a citizen's group to replace the existing wire fence in front of the museum and also to the entry way over the sidewalk to match the new rock wall fence. Mr. Armitage and Mr. Cervantes (Veto) are requesting the Council approve this beautification project at the Bob Jones Museum and also to appoint them as representatives of the Town of Superior for this project only, so they can accept checks made out to the Town. After several minutes of discussion and comments from members of the Museum Board and ex-board members spoke a motion was made.

Councilmember Alonzo stated this looks and sounds like a good idea but he recommends the museum board and the members get together and come to an agreement on this project. Councilmember Aguilar agrees with tabling this issue, just had a question about the age of the fence, fence was built with the house in 1914.

Councilmember Besich-Lira, feels the same as the other members and hopes that the two groups can come up with some compromise. Let's find out what it would take to put this building in the Historical listing.

Mayor, ultimately it will come down to the Council decision. He would like to see the board and the members come to a agreement and make a decision on this then bring this back to the Town for a decision. Because it is Town property it does need to come before Council.

Motion to table the approval of Superior Beautification Project at the Bob Jones Museum, second by Councilmember Alonzo, motion carries.

F. Discussion and Approval of Proposal from the JF Kennedy Elementary School for Summer School at the Superior Library

Ms. Gaston, Library Director Josie Campos told me Monday, the 1st of June, Manny Ramirez had contacted her and asked if the school could use the Library for Summer School in conjunction with the Library Summer Reading program. Even though the Town has an IGA with the Superior School district, this is something that needs to be approved by Council. The summer reading program is on Tuesday and Wednesday. Tuesday's summer reading program is preschool through grade 2 and Wednesday is grades 3-6. Also the school is providing lunches to the Library for all the Summer Reading Program enrollees. The lunches are served down stairs, no food or drinks are allowed in the main Library. After brief discussion Mayor Valenzuela requested a motion.

Motion to approve the Proposal from the JF Kennedy Elementary School for Summer School at the Superior Library made by Councilmember Alonzo, second by Vice-Mayor Lopez, motion carries.

- G. Discussion and Approval of Arizona Department of Liquor Licenses & Control Special Event License for Superior Optimist Club.** Ms. Gaston, The Superior Optimist Club is hosting a fundraiser on August 8, 2015, at the Magma Club; it's a Casino Night Fundraiser. They have already paid for the Alcohol Permit through the Town, and the rent for the Magma Club.

Motion to approve the Arizona Department of Liquor Licenses & Control Special Event License for Superior Optimist Club made by Councilmember Estatico, second by Councilmember Tameron, motion carries.

- H. Discussion and Approval of Arizona Department of Liquor Licenses & Control Special Event License for Superior Chamber of Commerce.** Ms. Gaston, the Superior Chamber of Commerce is hosting the annual Prickly Pear Festival, August 22, 2015, on Main Street for the event. The address for the Special Event License is the Chamber Building, the same as last year.

Motion to approve the Arizona Department of Liquor Licenses & Control Special Event License for Superior Chamber of Commerce made by Councilmember Besich-Lira, second by Vice-Mayor Lopez, motion carries.

- I. Discussion and Approval of Arizona Department of Liquor Licenses & Control Special Event License for St. Francis of Assisi Church.** Ms. Gaston, this is an event I think we all look forward to, the car show only, and festival at the St. Francis of Assisi Church. The event will be held on September 12 and 13, 2015. The event is held on Main Street, car show only, and the booths in the Church parking lot. The fund raising helps Catholic Church financially to operate all year.

Motion to approve the Arizona Department of Liquor Licenses & Control Special Event License for St. Francis of Assisi Church made by Councilmember Alonzo, second by Councilmember Estatico, motion carries.

- J. Town of Superior Submitted by Pinal County Flood Control District.** Ms. Gaston, Elise Moore, Pinal County Flood Control District, received notice that a Notice of Intent could be filled to be available for a Hazard Mitigation Assistance Grant Program, that had to be filed the same day. Pinal County Flood Control district has been having the Town of Superior surveyed for any flood control problems. The Town Also applied for Para Grant from ADOT, that was for either pre-scoping or a pavement study. As mentioned in the presentations, we were awarded the pavement study in the amount of \$100,00 to coincide with the survey of any flooding problems that might affect the pavement. The County applied for this program in the Town of Superior's name. Sgt. Neuss attended the Pinal County Flood Control District, meeting last week and was told about this. The County would complete all of the work necessary to follow through on this Hazard Mitigation Assistance

Grant Program and would also receive the money that would be available to complete this program.

Motion to approve Notice of Intent for Hazard Mitigation Program for Town of Superior submitted by Pinal County Flood Control District made by Councilmember Besich-Lira, second by Vice-Mayor Lopez, motion carries.

- K. Discussion and Possible Appointment of three Planning and Zoning Commissioners from the Applicants: Joy Eveland, Gina Lopez, Matt Mashaw and Henry (Hank) Gutierrez.** Ms. Gaston read this item and explained the length of each term. No comments no questions Mayor asked for a motion.

Motion to approve Appointment of three Planning and Zoning Commissioners, Joy Eveland-3 year term, Gina Lopez-3 year term, Matt Mashaw-3 year term, Motion made by Councilmember Aguilar, second by Councilmember Tameron, motion carries.

- L. Discussion and Tentative Approval of Superior Fiscal Year 2016 Budget.** Ms. Gaston, tonight the important thing is to adopt the tentative budget for 2016. The budget is basically based on proposed revenues, and also the expenditures for 2014-2015. We are basically just paying salaries, and associated benefits, which is what the majority of cities and towns are doing also. Ms. Gaston is proposing this year we will increase the sewer rate, keep the property tax levy the same, but also keep the sales tax increase at 4% indefinitely; the ordinance is on the agenda. Health care costs are estimated to rise about 20% this year. The expenditures are set and cannot be increased, but can be decreased. The budget forms will be published in the Superior Sun for two consecutive weeks, which also lists the property tax levy which has to be officially set before the 3rd Monday in August. The Town Council meeting is August 13, and the third Monday is August 17th.

Motion to adopt the tentative budget for Superior Fiscal Year 2016 Budget was made by Councilmember Estatico, second by Vice-Mayor Lopez, motion carries.

- M. Discussion and Possible Approval of Ordinance No. 15-129 Sales Tax Ordinance**

Ms. Gaston, In September of 2013, the Council approved Ordinance No. 117 to increase the sales tax for 2% to 4%. That Ordinance had a sunset clause, which means that effective November 30, 2015, the increase in sales tax, goes away. It is important to continue the sales tax increase as a permanent revenue source for the Town of Superior. The Ordinance is effective December 1, 2015, so there will be no confusion over the increase continuing. This gives the Town time to notify Arizona Department of Revenue, and also to post it on our website. After brief discussion Mayor Valenzuela called for a motion.

Motion to continue with the tax increase, Ordinance No. 15-129 with no sunset clause to August 13, 2015 made by Councilmember Estatico, second by Vice-Mayor Lopez, motion carries.

CALL TO THE PUBLIC

Any citizen desiring to speak on a matter that is not scheduled on this agenda may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Town Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Town Council. Pursuant to the Arizona Open Meeting Law, the Town Council cannot discuss or act on items presented at this time.

Melissa Rabago- She wanted to advise Council that she is working closely with the parties involved in the project that is going on around the Magma Club. Margaret and Nora were kind enough to give her a list of the activities taking place at the Magma Club during this time and they assured that the parties involved would make every effort to accommodate the activities that are scheduled at the Magma Club. If anyone should have any questions or concerns please feel free to contact her. She will be more than happy to meet and talk to anyone.

Maria Jolly-Ms. Jolly just wanted to take the time to introduce herself to the Council. She is the granddaughter of Juan Cardenas the baker and owner of the old El Centro Bakery on Pinal Street. Her grandfather ran that bakery for years and she is planning on opening up the Bakery once again. She has all of her grandfather's recipes. It is a long process but she is getting there.

At the conclusion of the call to the public, individual Town Council members may (1) respond to criticism made by those who have spoken; (2) ask staff to review a matter; or (3) ask that a matter be put on a future agenda.

SUMMARY OF CURRENT EVENTS

Councilmember Besich-Lira, she had some exciting news, the Legend of Superior Trails is now incorporated.

Councilmember Aguilar, he stated that was the best bakery ever. Juan made the best doughnuts ever, even better than Crispy Cream Donuts.

Councilmember Alonzo, he just wanted to thank staff and everyone for all of their hard work getting everything ready for the audits.

Councilmember Estatico, Little League, June 29th is the All Star Tournaments which will be held here in Superior.

Councilmember Tameron, No Comment

Vice-Mayor Lopez, she wanted to echo the same thing, the 4th of July is coming up and will be a good time for everyone.

Mayor Valenzuela, he wanted to remind everyone of the 4th of July festivities and invite everyone to come out and enjoy themselves. Free swimming for everyone all day, free food and drinks. Still working on getting the huge water slides they had last year. We are still accepting donations if anyone is interested in donating. This will help to make this a great July 4th festival. Also he wanted to thank the staff for their hard work. The Town has been trying to get the audits done and get the Town back to running normally. We are not there yet but we are getting there slowly but surely.

Margaret Gaston, she just wanted to thank the town staff and the department heads for all of their hard work during the audit. She does appreciate their support.

SCHEDULING OF MEETINGS AND EVENTS

Planning and Zoning Meeting, June 18, 2015, 6:00 p.m.

Council Meeting, July 9, 2015, 7 p.m.

July 4th, 2015, Celebration – Fireworks, Free Swimming

EXECUTIVE SESSION

Motion to move into Executive Session with the Town Attorney, Steven Cooper and Town Manager, Margaret Gaston for one hour was made by Vice-Mayor Lopez, second by Councilmember Aguilar, motion carries at 9:20 p.m.

A. Confidentiality Statement

At the April 10th, 2014 Council Meeting the following member of the Superior Town Council declared a conflict of interest concerning matters involving Resolution Copper, Mayor Valenzuela, Vice-Mayor Lopez, Council Member Tameron and Council Member Aguilar. Due to the four conflicts of interest the Superior Town Council would not be able to discuss matters involving Resolution Copper. However, pursuant to A.R.S. 38-508 if conflicts of interest prevent a Town from acting as required by law in its official capacity, such action shall not be prevented if the Council Members who have apparent conflicts make known their conflicts of interest in the official records of the Town.

Due to the fact the Mayor, Vice-Mayor and two Council Members have publically declared their conflicts of interest at the prior Council Meeting and the Town Council would not be able to address matters involving Resolution Copper these Council Members are authorized to participate in matters involving Resolution Copper pursuant to A.R.S 38-508.

B. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts, contracts subject to negotiation and or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Section 38-431.03(A)(3) & (4):

Resolution Copper status of negotiations concerning possible Mutual Benefits Agreement.

C. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding potential annexation of real property. Pursuant to A.R.S. Section 38-431.03(A)(3) & (4)

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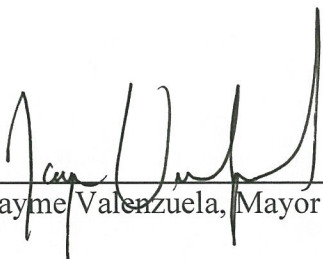
REGULAR SESSION

Motion to return to regular session at 10:20 was made by Councilmember Besich-Lira, second by Vice-Mayor Lopez, motion carries.

Direct Staff or Town Attorney to proceed as directed in Executive Session.

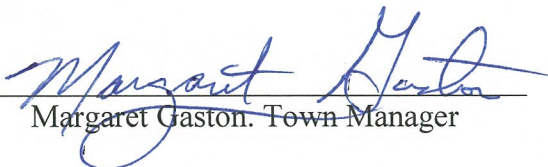
ADJOURNMENT

Motion to adjourn meeting was made by Councilmember Besich-Lira, second by Vice-Mayor Lopez, motion carries. Meeting adjourned at 10:45 p.m.



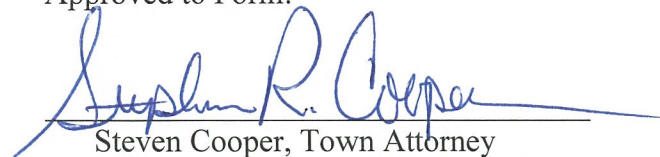
Jayme Valenzuela, Mayor

Attest:



Margaret Gaston, Town Manager

Approved to Form:



Steven Cooper, Town Attorney